

REMARKS

Claim Status

Claims 1-6 are currently pending, with claim 1 being the only independent claim. Claims 1-6 have been amended to clarify minor claim wording. No new matter has been added. Reconsideration of the application, as herein amended, is respectfully requested.

Overview of the Office Action

Claims 1-6 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,304,973 (“*Hamamura*”).

Applicants have carefully considered the Examiner’s rejections, and the comments provided in support thereof. For the following reasons, applicants respectfully assert that all claims now pending in the present application are patentable over the cited art.

Descriptive Summary of the Prior Art

Williams relates to “secure communication between hosts using a network that implements a security policy, and especially a network allowing multiple levels of information to coexist on a network system” (see col. 1, lines 7-10).

Summary of the Claimed Subject Matter

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

The claimed invention is directed to a system for communication between a first computer terminal of a private IP network and a second computer terminal of a public IP network (see paragraph [0012] of U.S. Pub. No. 2007/0258470, i.e., “the instant application”).

The claimed communications system includes network boundary equipment, and solves problems associated with providing incoming connections to a private network, simplifies the security strategy applied at the boundary of the private network without compromising the security of the network, and requires little or no configuration of the existing elements of the boundary equipment, gateway and/or the firewall of the network (see paragraph [0012], lines 5-11 of the instant application).

The claimed communications system additionally includes a mediation system in the private IP network which is associated with the first computer terminal, the mediation system being configured to make an IP interface available to the second terminal, and a control server in the public IP network and operable to configure and control the mediation system via a communications tunnel through the network boundary equipment (see paragraph [0013] of the instant application).

Patentability of Independent Claim 1 Under 35 U.S.C. §102(b)

Independent claim 1 has been amended to recite, *inter alia*, “a control server in the public IP network, said control server being operable to configure and control said mediation system via a communications tunnel through said network boundary equipment”. No new matter has been added.

The Examiner (at pg. 3 of the Office Action) asserts that:

[Williams discloses] ... a control server (4) in the public IP network that is able to control said mediation system (2) via a

communications tunnel (6) through said network boundary equipment (3) (Col. 8, lines 16-20; Figure 1. The network comprises a network controller host dedicated to configuring and auditing the secure network (10) installed between each host computer and network medium (20). Col. 3, lines 23-38. Firewalls provide IP tunneling capability across the Internet.).

Applicants disagree.

Williams (col. 6, lines 42-46; FIGS. 1-3) explains that the security network 10 includes “a dedicated Network Security Controller (NSC) 12, workstations 14 and servers 16. The NSC 12 permits a Security Officer to configure and audit the operation of the secure network 10”. *Williams* (col. 6, lines 46-51) additionally explains that “[t]he network 10 also has security devices 18, having the commercial name DiamondNIC, installed between each host (workstation 14 or server 16) and the local area network medium 20 to form a Local Area Network (LAN) 5. The various LANs 5 are connected to an untrusted backbone net 30 by a router 22”.

Contrary to the Examiner’s assertion, however, col. 8, lines 16-20 of *Williams* (nor, indeed, any other part of the *Williams* disclosure) fails to teach or suggest a system for communication between a first computer terminal disposed in a private IP network and a second computer terminal disposed in a public IP network as recited in now amended independent claim 1. *Williams* teaches instead a system in which the Network Security Controller (NSC) 12 is located in the private network. Indeed, *Williams* expressly explains that the NSC 12 host is “dedicated to configuring and auditing the secure network”.

Applicants’ independent claim 1, in contrast, expressly recites that the control server is in the public IP network. The NSC 12 of *Williams* thus cannot correspond to the control server of now amended independent claim 1, because the NSC 12 of *Williams* is a part of the private network and, as such, does not facilitate traversal of the boundary equipment. That is, *Williams* fails to teach or suggest a control server that is operable to configure and control a mediation system via a

communications tunnel through the network boundary equipment, as recited in now amended independent claim 1.

Moreover, the NSC 12 of *Williams* has a role that is entirely different from that provided by the claimed control server of applicants' amended independent claim 1. The NSC 12 of *Williams* configures the mediation equipment, where the configuration is manually defined by a network security officer based on authorized origins and destinations (see col. 8, lines 24-48).

An object of applicants' claimed invention is to permit incoming communications to enter a private network, such as to establish a phone call and, thus, traverse the boundary equipment of the private network, such as a firewall or Network Address Translation (NAT) functionality. As explained at paragraph [0032] of the instant specification, the control server is configured to request or instruct the mediation equipment to perform an operation, such as opening a port associated with a specific IP address, in order to transmit data.

The mediation server of *Williams* merely authorizes or refuses to send or receive data based on the address from which information is transmitted or received. In contrast, the control server of now amended independent claim 1 receives requests for communication with the private network and configures and controls the mediation system via a communications tunnel through the network boundary equipment so that the mediation server makes an IP interface available for communication with the private network.

Moreover, the skilled person seeking to implement the *Williams* system to obtain a communication system that allows calls from a public network to a private network would be required to first provide all of the mediation equipment with a list of the IP addresses of all devices that might, at some point thereafter, wish to transmit a call to the private network. The claimed invention eliminates this need for the mediation equipment to pre-store a number for each such

device from which a communication might thereafter be received for the private network because the address and port ID (see, e.g., dependent claims 4-5) of the claimed control server provides sufficient information to establish the communication or call. The skilled person would therefore have no reason to modify the teachings of *Williams* to achieve the express recitations of independent claim 1 absent impermissible hindsight reconstruction. Independent claim 1 is therefore deemed to be patentable over *Williams*.

Reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102 are thus deemed to be in order, and early notice to that effect is solicited.

Moreover, by virtue of the above-discussed differences between the recitations of independent claim 1 and the teachings of *Williams*, and the lack of any clear motivation for modifying *Williams* to achieve applicants' claimed invention, independent claim 1 is likewise deemed to be patentable over *Williams* under 35 U.S.C. §103.

Dependent Claims

In view of the patentability of independent claim 1 for the reasons presented above, each of dependent claims 2-6 is respectfully deemed to be patentable therewith over the prior art. Moreover, each of these claims includes features which serve to still further distinguish the claimed invention over the applied art.

Conclusion

Based on all of the above, applicants submit that the present application is now in full and proper condition for allowance. Prompt and favorable action to this effect, and early passage of the application to issue, are once more solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned to facilitate an early resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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